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SIPDIS

SENSITIVE

STATE FOR EAP/BCLTV, PRM

BANGKOK FOR REGIONAL REFCOORD HONNOLD

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SUBJECT: (SBU) Exploring a Montagnard-focused Humanitarian Resettlement Program

Ref: A) 2/3/05 Ryan-Marine E-mail; B) 3/1/05 Adams-Knapper E-mail

1. (SBU) This is an action request. Post proposes exploring prospects for a Montagnard-focused Humanitarian Resettlement Program, the goal of which would be to help to mitigate the outflow of Montagnards to Cambodia. Post has informally raised the approach outlined below with PRM and EAP (Refs A and B); we now seek front channel approval to begin the steps outlined in paragraph 7.

Background

2. (SBU) Among the factors driving Montagnards into Cambodia are: the desire for economic opportunity; a response to deliberate misinformation from outsiders (i.e., that the UNHCR or the USG can help Montagnards to recover lost land); and a fear of religious or political persecution. In proposing an in-country humanitarian resettlement program to help to mitigate the outflow of Montagnards to Cambodia, we recognize that the only long-term palliative to the Montagnard refugee problem will be social and economic development in the Central Highlands.

3. (SBU) In resolving this situation, the UNHCR needs to have a prominent role, including the ability to monitor those Montagnards found not to be refugees who are returned to Vietnam from Cambodia, but a history of troubled GVN-UNHCR relations may make this difficult. This is further complicated by the fact that there is a small but active group outside Vietnam seeking to destabilize the Central Highlands in order to gain autonomy or independence for the region.

4. (SBU) There are key issues about which we need more information, including to what extent Montagnards who have a genuine fear of religious or political persecution make up the overall population of those who have fled to Cambodia and details about their demographics, such as place of origin, age or family status. Finally, and most importantly, we do not know whether the GVN will be serious about setting up an in-country processing program.

Issues to Consider

5. (SBU) Before approaching the GVN, we will need to have a clear idea of our target population and a sound basis for why we believe this group merits bilateral efforts to establish an in-country processing program. We also need to be mindful of Vietnamese sensitivities: the GVN will not cooperate on a program specifically aimed at transporting from Vietnam those "suffering religious and other persecution."

6. (SBU) Publicly, we would want to present this effort as a multilateral, humanitarian endeavor. Privately, our focus should be on working together to move this issue to the positive side of the bilateral ledger. The GVN has shown some willingness to work with the USG on Montagnard "follow-to-join" cases. There has been incremental progress in passport issuances to long-pending Montagnard Visa-93 cases: for example, eight families have received passports -- out of 78 total cases -- as of February 25. That said, we continue to look for greater cooperation in contacting and processing these existing family reunification cases as an indicator of the GVN's seriousness about cooperating on a broader in-country program.

The Way Forward

7. (SBU) Our approach should have four steps:

-- Step 1) Determine our target population. Embassy Hanoi and ConGen HCMC will draw up a list of questions for the UNHCR to ask refugees under its care in Cambodia, the goal of which is to try to establish the demographics of our

possible target population.

-- Step 2) Establish for ourselves the eligibility criteria for the program. Once we get a better idea of our target population, we must come up with a well-defined set of specific criteria for access to a possible in-country program. Out of an estimated 1.5 million Montagnards, there must be credible grounds for identifying a group of 1,000 to 5,000 persons over a period of a few years that merits access to the program. A somewhat broader interpretation of existing Priority One guidelines based on some existing or recent persecution probably offers the best approach. But it remains to be seen whether the GVN would cooperate in issuing passports to individuals so identified.

-- Step 3) Reach agreement with the GVN on what the issues are. We will need to begin discussions with the GVN, between the Ambassador and Vice Foreign Minister Le Van Bang and then perhaps with Deputy Prime Minister Vu Khoan, to secure its agreement that:

-- Unauthorized travel by Montagnards into Cambodia needs to be addressed;

-- Resolving this issue is in both countries' interests;

-- Cambodia and the UNHCR have important roles to play in addressing this problem;

-- While a percentage of the Montagnards in Cambodia are economic migrants or dupes of outside forces, a certain number represent a larger population of Montagnards who simply cannot or do not want to remain in Vietnam; and,

-- A necessary, but only partial, response to this problem is allowing in-country processing of members of this group.

In coming to the above conclusions with the GVN, the United States should be prepared to:

-- Be flexible in how we describe the target population and the possible program; use of the term "refugee" would not be acceptable to the GVN; a better nomenclature would be "person at risk" or "individual of interest/concern."

-- Work with other interested countries and organizations to "multilateralize" our efforts to help the Montagnards, particularly through targeted development assistance programs in the Central Highlands;

-- Emphasize early and often that U.S.-Vietnam humanitarian efforts to resolve this issue can move the overall relationship forward and shift this issue to the positive side of the bilateral ledger;

-- Underline that USG- and non-USG public and private organizations on the ground in the Central Highlands can play a symbolic and highly beneficial role in the region's economic development; ideally, Economic Support Funds would be available for these projects (although our ESF funding for Vietnam was zeroed out for FY 2006).

-- Accept the GVN's position that outside forces such as the Montagnard Foundation and others are part of the problem; commit to persuading Kok Ksor and others that their actions are unhelpful; and, follow through on this commitment.

-- Step 4) Work on the details. PRM and ConGen HCMC/RRS will bear responsibility for sorting out and negotiating the details, which include cost, number of personnel, arrangements for facilitating interviews and setting up a venue for interviews. One key issue, subject to necessary cooperation from the GVN, will be our ability to travel in the Central Highlands region to verify claims.

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